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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,602	08/19/2003	Kenneth Schofield	MAG04 P-1087	5065
28101 7590 10/01/2009 VAN DYKE, GARDNER, LINN & BURKHART, LLP SUITE 207 2851 CHARLEVOIX DRIVE, S.E. GRAND RAPIDS, MI 49546				
EXAMINER				
CZEKAJ, DAVID J				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
10/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/643,602

Applicant(s)

SCHOFIELD ET AL.

Examiner

DAVID CZEKAJ

Art Unit

2621

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 September 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 50-52,56,58,62,67 and 92-109
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Dave Czekaj/
Primary Examiner, Art Unit 2621

Continuation of 11, does NOT place the application in condition for allowance because: On pages 2-5, applicant argues that the combination of Secor, Fukuhara, and Choi fail to disclose an image processor that produces a synthesized image by pixel group compensation, image morphing or image warping compensation, cameras with overlapping fields of view, and producing synthesized image on a single display screen that is viewable by a driver of the vehicle. While the applicant's points are understood, the examiner respectfully disagrees. See for example Secor figures 2 and 4. There Secor illustrates a first camera 22 which will have an overlapping field of view with camera 34. While camera 34 is pointed in a sideways direction, cameras 22 and 34 will still have overlapping fields of view. Fukuhara illustrates in figures 4 and 8, a synthesizing circuit to produce a synthesized output from the images received from the cameras 22 and 23. Since the synthesized output produces a single display from multiple cameras, as seen in figure 8, pixel group compensation, image morphing, or image warping must be performed. Choi illustrates in figure 4, a single display screen viewable by a driver. Hence, the combination of Secor, Fukuhara, and Choi disclose the limitations as claimed. Therefore the rejection has been maintained.

On page 4, applicant argues that there is no motivation to combine Choi with Fukuhara and Secor. While the applicant's points are understood, the examiner respectfully disagrees. Choi illustrates in figure 1, a vehicle camera processing system with a subsequent display. Since all references are within the same field of endeavor (vehicle camera processing systems), and proper motivation has been stated as found in the prior art references, the combination is deemed proper. Therefore the rejection has been maintained.

On page 4, applicant argues that Secor teaches away from the present invention. While the applicant's points are understood, the examiner respectfully disagrees. As seen in the above arguments, Secor discloses cameras with overlapping fields of view. Furthermore, under KSR, all the elements are known, could have been combined without any change of function, and would give predictable results. Thus, this is simply a modification of equivalent parts, not a teaching away. Therefore the rejection has been maintained.

On pages 5-7, applicant argues that Secor, Fukuhara, and Choi teach away from a vision system. While the applicant's points are understood, the examiner respectfully disagrees. As indicated in the above arguments, the combination of Secor, Fukuhara, and Choi teach a vehicle image system. Hence, the combination does not teach away from the instant application. Therefore the rejection has been maintained.

On page 13, applicant argues that Tuck teaches away from the present invention. While the applicant's points are understood, the examiner respectfully disagrees. While Tuck illustrates multiple displays in figure 4, Tuck discloses in column 4, lines 55-67, that the operator will view the scene as being from a single wide angle view. Hence, the multiple displays function as a single display unit. Furthermore, under KSR, all the elements are known, could have been combined without any change of function, and would give predictable results. Thus, this is simply a modification of equivalent parts, not a teaching away. Therefore the rejection has been maintained.

On page 16, applicant argues that Kishi fails to disclose a graphic overlay that enhances the drivers understanding of what is in the area adjacent the vehicle enabled when the vehicle's gear is selected to be in reverse. While the applicant's points are understood, the examiner respectfully disagrees. See for example Kishi column 1, lines 20-29. There Kishi discloses that when a switch is activated (such as a switch to reverse), displaying an overlay comprising a distance display line to provide depth perception of the rear of the vehicle. Since the information is indicative of the rear of the vehicle, the examiner notes the switch must be done when the car is in reverse. Furthermore, the distance information provided via the overlay would enhance the drivers understanding of the area to the rear of the vehicle. Therefore the rejection has been maintained.